

BILL NO. G-83- 09-48

ORDINANCE NO. G-

29-83

AN ORDINANCE amending Chapter 33 of the
Municipal Code of the City of Fort Wayne,
Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. Delete Section 33-8 D. and replace with the following:

D. Parking Area Improvement

(1) The Board of Public Works of the City of Fort Wayne is hereby authorized and required to prescribe minimum specifications for paving, surfacing, drainage and all land used for off-street parking and all driveways thereto whether required by this chapter or otherwise.

(2) All land which is hereafter placed in use for off-street parking and all driveways thereto, and all land which has been put to such use since on or after December 3, 1969, and which is hereafter to be used for off-street parking; shall be paved or surfaced and shall be drained with materials and in a manner which meets the minimum specifications and current standards for parking lots adopted December 2, 1969 by the Board of Public Works of the City of Fort Wayne, and any current or future amendments thereto on any subdivisions thereof by said Board.

(3) All land which is located within the boundaries of St. Mary's River on the North, Clay Street on the East, Penn Central Railroad on the South, and Fairfield Avenue on the West, in the City of Fort Wayne, Indiana, which has been and/or hereafter is used for off-street parking, and all driveways thereto, must be paved or surfaced and drained as provided in the preceding paragraph.

(4) All land which is hereafter used and has been used continuously for off-street parking and for driveways thereto, on or prior to December 2, 1969 must be surfaced with compacted crushed stone of uniform size and texture of not less than three (3) inches depth and in a manner which prevents such material from eroding, washing or otherwise being deposited on public sidewalks and street rights-of-way. Nothing contained in this paragraph shall be deemed to require the paving of any off-street parking space for any dwelling unit.

(5) All land in or adjoining a Residential or Business District which is hereafter placed in use for off-street parking, except for any dwelling unit, shall be landscaped and installed to aid in controlling the circulation of cars and pedestrians, to identify entrances and exits, and to improve the appearance of such use to maintain property values in the area and the following specific landscaping requirements must be satisfied:

- a. All open, off-street parking areas shall provide and maintain shade trees of a variety hardy to this region and totaling not less than 1% of the surfaced parking area. The minimum size tree island shall not be less than 70 square feet. The total landscaping (green) area for

any parking lot shall be not less than 10% of the gross area developed. The owner shall be responsible for the perpetual maintenance of the green space.

- b. Screening, consisting of a hedge, wall or uniformly painted opaque fence, shall be provided between the off-street parking and all Residential and Business Districts. This screening must serve as a visual separator and physical barrier. Screening shall be a height of not less than 4 feet in or adjacent to a business district and a minimum height of 6 feet in or adjacent to a residential district.

(6) Setbacks - All land used for off-street parking in districts for which front yards are required by this chapter shall be located not less than five (5) feet from any property line abutting on a street. All parking lots shall have curbs around perimeters at a sufficient location to keep vehicles from overhanging or encroaching upon abutting properties, streets, alleys or sidewalks. Curbs are also to be used to facilitate drainage and insure no discharge of water onto abutting properties.

(7) Lighting - Any light used to illuminate land used for off-street parking or driveways thereto shall be installed on private property. Lighting will be installed and maintained so as to direct the light away from any adjoining residential district. It shall also be designed to avoid glare into street rights-of-way.

(8) Permits - Any person constructing a parking lot pursuant to the provisions herein shall obtain an improvement location permit. Said permit shall be issued after applicant has submitted evidence demonstrating that the proposed off-street parking area improvement shall comply with the provisions herein.

SECTION 2. That this Ordinance shall be in full force and effect from and after passage and approval by the Mayor.



COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY



BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Stier, seconded by Mr. Quata, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: 9-27-83

Sandra E. Kennedy
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>6</u>	<u>.</u>	<u> </u>	<u>3</u>	<u> </u>
<u>BRADBURY</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GIAQUINTA</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>SCHMIDT</u>	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>SCHOMBURG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCRUGGS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 11/22/83

Sandra E. Kennedy
- CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. 9-29-83 on the 22nd day of November, 1983.

ATTEST:
Sandra E. Kennedy
CITY CLERK

(SEAL)
Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of November, 1983, at the hour of 11:30 o'clock A .M., E.S.T.

Sandra E. Kennedy
CITY CLERK

Approved and signed by me this 28th day of Nov. 1983, at the hour of 9 o'clock A .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RESOLUTION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 27, 1983, referred a proposed zoning ordinance amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-83-09-48; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

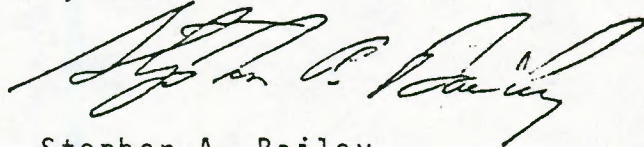
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 17, 1983;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 24, 1983.

Certified and signed this
26th day of October 1983.

A handwritten signature in dark ink, appearing to read "Stephen A. Bailey", written in a cursive style.

Stephen A. Bailey
Secretary

*Frank
H. ...*

BILL NO. G-83-09-48

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending Chapter 33 of the Municipal Code of the City of
Fort Wayne, Indiana

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE do PASS.

JAMES S. STIER, CHAIRMAN

JANET G. BRADBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

Janet G. Bradbury
Victoria Scruggs
Mark E. Giaquinta
Roy J. Schomburg
Sandra E. Kennedy

11-22-83



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

26 October 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held October 24, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. G-83-09-48
2. Parking Area Improvement Ordinance
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: This amendment will eliminate the duplication of services required by the present ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

ORIGINAL

DIGEST SHEET

ORIGINAL

Admn. Appr.

6438

TITLE OF ORDINANCE Parking Area Improvement (Amendment)

G-83-09-48

DEPARTMENT REQUESTING ORDINANCE Community Development & Planning

SYNOPSIS OF ORDINANCE Requires improvement location of land used for parking -

this amendment will eliminate duplication of effort present in the existing ordinance
with respect to giving notice of violations.

EFFECT OF PASSAGE Amendment will expedite enforcement.

EFFECT OF NON-PASSAGE Duplication of effort will continue.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

ASSIGNED TO COMMITTEE (J.N.) _____